

Amendment Under 37 C.F.R. § 1.111
U.S. Application No. 10/625,549

Attorney Docket No.: Q71800

AMENDMENTS TO THE DRAWINGS

Figure 2 has been amended to remove the parts that the Examiner indicated are drawn into adjacent parts.

Attachment: One (1) Annotated Sheet
One (1) Replacement Sheet

REMARKS

Summary Of The Office Action & Formalities

Claims 1-9, 11, 12 and 14-20 are all the claims pending in the application. By this Amendment, Applicant is amending claims 1 and 12 and adding claims 21-22. No new matter is added.

The drawings are objected to because Figure 2 shows various parts in cross section but have some of the parts drawn into adjacent parts. For example, the upper slanted region near reference number 45 goes into element 30 and the lower slanted portions of rod 30 extend into the pump body 10. Applicant is amending Fig. 2 to overcome this objection.

The prior art rejections are summarized as follows:

1. Claims 1-9, 11, 12 and 14-20 are rejected under 35 U.S.C. § 102(b) as being anticipated by Schultz (US 6,170,713).
2. Claims 1-9, 11, 12 and 14-20 are rejected under 35 U.S.C. § 102(b) as being anticipated by Van Brocklin et al. (US 5,192,006).
3. Claims 8 and 19 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Schultz (US 6,170,713) in view of Arnold et al. (US 5,947,340).
4. Claims 8 and 19 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Van Brocklin et al. (US 5,192,006) in view of Arnold et al. (US 5,947,340).

Applicant respectfully traverses.

Claim Rejections - 35 U.S.C. § 102

1. Claims 1-9, 11, 12 And 14-20 In View Of Schultz (US 6,170,713).

In rejecting claims 1-9, 11, 12 and 14-20 in view of Schultz (US 6,170,713), the grounds of rejection state:

Schultz discloses a manually actuated fluid dispenser pump comprising a pump body (2), a piston (8) mounted to slide in leaktight manner in said pump body between a rest position and an actuating position, an actuating rod (8) integral to said piston, and a ferrule (17) fixed to the top edge of the pump body, to define the rest position for said piston, said actuating rod being mounted to slide in said ferrule, said pump being characterized in that the ferrule is provided with at least one internal sealing lip (inner part of 17) co-operating in leaktight manner with said actuating rod; said at least one sealing lip extends over the entire periphery of said ferrule; said at least one sealing lip is made integrally with said ferrule; said at least one sealing lip is flexible so that leaktightness is guaranteed between itself and said actuating rod, even when the actuating force exerted on the actuating rod is not exactly axial; said sealing lip of the ferrule centers and/or guides the actuating rod in said ferrule and/or said pump body; said ferrule is made integrally with a fixing ring organized to fix said pump to a fluid reservoir; said ferrule is made of a single material; alternatively the broadly recited ferrule is made of a plurality of materials if it is read in combination with element (7); and wherein a part of the piston abuts against the ferrule when the piston is in the rest position (see Fig. 1).

Office Action at pages 3-4.

Applicant has amended claim 1 to specify that the sealing lip co-operates in leaktight manner with said actuating rod in all positions of said actuating rod, that the piston abuts against an abutment edge of the ferrule when the piston is in the rest position, and that said at least one internal sealing lip protruding inwardly from said ferrule and being spaced away from said

abutment edge. Similar amendments have been made to claim 12. Such features can be clearly seen in Fig. 2 of the application (*see also* page 5, lines 12-14).

Schultz, on the other hand, discloses a piston (4) made integral with an actuating rod (8). Figures 1, 2, 5, 6, 15 and 16 of that patent show embodiments where the actuating rod cooperates with a sealing gasket. Schultz clearly discloses that it is always the sealing surface that provides the abutment defining the rest position, and the sealing surface is not provided by a protruding lip. Schultz also does not disclose a ferrule comprising a sealing portion spaced away from the portion against which the piston abuts.

Amended claims 1 and 12, and dependent claims 2-9, 11 and 14-20, are thus believed to be allowable over Schultz, and the Examiner is kindly requested to reconsider and withdraw this rejection.

2. Claims 1-9, 11, 12 And 14-20 In View Of Van Brocklin et al. (US 5,192,006).

In rejecting claims 1-9, 11, 12 and 14-20 in view of Van Brocklin et al. (US 5,192,006), the grounds of rejection state:

Van Brocklin et al. disclose a manually actuated fluid dispenser pump comprising a pump body (20), a piston (70, 72) mounted to slide in leaktight manner in said pump body between a rest position and an actuating position, an actuating rod (70, 72) integral to said piston, and a ferrule (76) fixed to the top edge of the pump body, to define the rest position for said piston, said actuating rod being mounted to slide in said ferrule, said pump being characterized in that the ferrule is provided with at least one internal sealing lip co-operating in leaktight manner with said actuating rod; said at least one sealing lip extends over the entire periphery of said ferrule; said at least one sealing lip is made integrally with said ferrule; said at least one sealing lip is flexible so that leaktightness is guaranteed between itself and said actuating rod, even when the actuating force exerted on the actuating rod is

not exactly axial; said sealing lip of the ferrule centers and/or guides the actuating rod in said ferrule and/or said pump body; said ferrule is made integrally with a fixing ring organized to fix said pump to a fluid reservoir; said ferrule is made of a single material; alternatively the broadly recited ferrule is made of a plurality of materials if it is read in combination with element (10); and wherein a part of the piston abuts against the ferrule when the piston is in the rest position (see Fig. 2).

Office Action at page 4.

Van Brocklin et al. discloses a piston (74) made integral with an actuating rod (70, 72). In the rest position, the piston abuts against a ferrule (76, 78). As specified in column 4, lines 49-51, the piston 74 is adapted for sealing fit in pump body 20 and thus has a diameter which allows sealing engagement with the pump body 20. On the other hand, Van Brocklin et al. does not teach or suggest that the ferrule (76, 78) and the piston 74 are together in sealing engagement. Therefore, one cannot fairly read this patent as disclosing a ferrule that includes a sealing lip. Moreover, the ferrule disclosed in Van Brocklin et al. does not include a protruding portion that co-operates with the piston so as to establish a *sealing* contact. Consequently, Van Brocklin et al. does not teach or suggest a ferrule having a sealing protruding portion and a piston abutment edge spaced apart from said sealing portion.

Amended claims 1 and 12, and dependent claims 2-9, 11 and 14-20, are thus believed to be allowable over Van Brocklin et al., and the Examiner is kindly requested to reconsider and withdraw this rejection.

Claim Rejections - 35 U.S.C. § 103

Regarding the rejection of claims 8 and 9 under 35 U.S.C. § 103(a) as being unpatentable over Schultz or Van Brocklin et al. and Arnold et al., Applicant submits that claims 8 and 19 are allowable at least by reason of their respective dependencies.

Furthermore, the technical effect of a ferrule with a protruding sealing lip arranged spaced apart from the abutment edge against which the piston comes into engagement is to obtain a very good sealing between the piston and the ferrule without any wearing of the sealing portion associated to the abutment of the piston against the ferrule. Consequently, the technical features given in claims 1 and 12 ensures efficient sealing of the pump chamber for a long period of time.

In Arnold et al., Fig. 5 depicts an embodiment in which a ferrule includes a protruding portion in contact with an actuating rod (which is not made integral with the piston). This protruding portion in Arnold et al. is made at the lower end of said ferrule. Therefore, if one skilled in the art were to have combined the Arnold et al. with one of the other applied patents, the result would be to an abutment portion at the lower end of the ferrule which is also the sealing portion for the actuating rod. As a consequence, Arnold et al. would *teach away* from Applicant's invention as recited in claims 1 and 12 and would also not have the advantageous effect discussed above.

For additional claim coverage merited by the scope of the invention, Applicant is adding new claims 21 and 22, which are allowable at least by reason of their respective dependencies.

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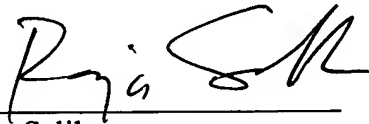
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Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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CUSTOMER NUMBER

Date: May 30, 2006



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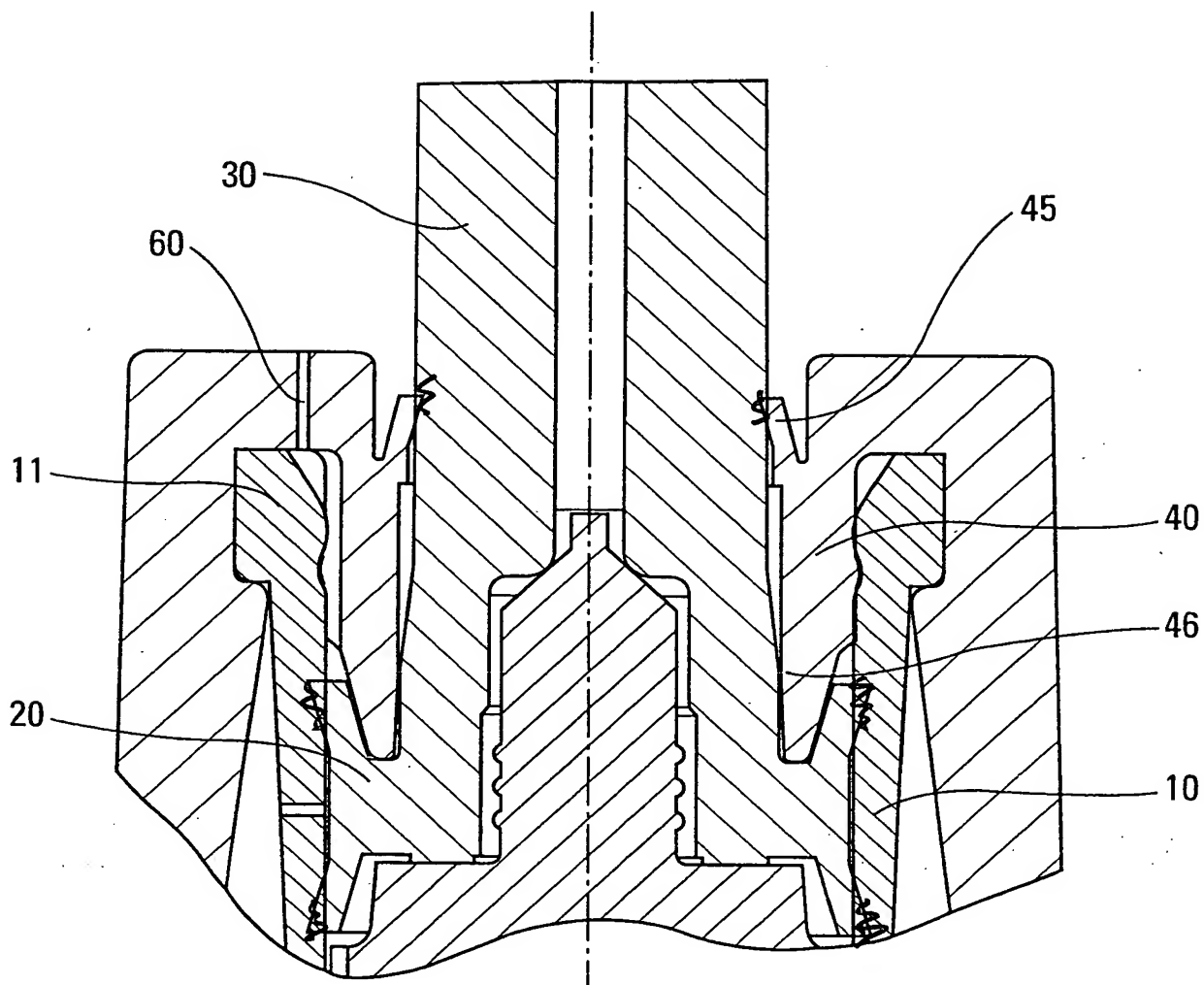


Fig. 2